

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

DEFENDANT'S MOTION TO DISMISS COMPLAINT

COMES NOW, the above-captioned Defendant, by and through counsel, and hereby moves this Honorable Court to enter an Order dismissing Plaintiff's Complaint with prejudice, pursuant to Fed.R.Civ.P. 12(b)(1) and/or 12(b)(6), for the reasons set forth in the accompanying Defendant's Opening Brief in Support of Motion to Dismiss Complaint.

**DEPARTMENT OF JUSTICE
STATE OF DELAWARE**

By: /s/Stephani J. Ballard
STEPHANI J. BALLARD, I.D. #3481
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Attorney for Defendant

DATED: October 10, 2006

CERTIFICATE OF MAILING AND/OR DELIVERY

The undersigned certifies that on **October 10, 2006**, she caused the attached ***Defendant's Motion to Dismiss Complaint*** to be delivered to the following persons in the form and manner indicated:

NAME AND ADDRESS OF RECIPIENT(S):

Nina Shahin
103 Shinnecock Road
Dover, DE 19904

MANNER OF DELIVERY:

- One true copy by facsimile transmission to each recipient.
- Two true copies by first class mail, postage prepaid, to each recipient.
- Two true copies by Federal Express.
- Two true copies by hand delivery to each recipient.

/s/ Stephani J. Ballard
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